

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. DC4974
Applicant(s): B. K. Hwang et al.			
Serial No. 09/995,985	Filing Date 11/19/2001	Examiner D. Brunsman	Group Art Unit 1755
Invention: COMPOSITIONS AND METHODS FOR FORMING DIELECTRIC LAYERS USING A COLLOID			
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/995,985

Confirmation No.: 5986

Applicant : B. K. Hwang et al.

Filed : November 19, 2001

TC/A.U. : 1755

Examiner : D. Brunzman

Docket No. : DC4974

Customer No. : 00137

Date : March 11, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESTRICTION REQUIREMENT

37 CFR 1.142

Sir:

In response to the Office Action dated February 24, 2004, Applicant hereby elects an invention pursuant to the Restriction Requirement.

The Examiner has requested restriction under 35 U.S.C. 121 to one of the following inventions:

- I. Claims 1-26, drawn to a coating method, classified in class 427, subclass various.
- II. Claims 27-37, drawn to a composition, classified in class 106, subclass 287.34.

In a telephone conversation with Examiner Talbot on September 12, 2003, Applicant provisionally elected Group II, claims 27-37, with traverse, for further prosecution. Applicant confirms that election in response to this written Restriction Requirement.

The Examiner states that Inventions II and I are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. The Examiner states that in the instant case the composition could be solidified and sintered to form a monolithic body.

The Examiner only speculates that the composition of the instant invention could be solidified and sintered to form a monolithic body. The Examiner has no evidence of such use and has not identified how the process parameters for making such monolithic body would be materially different from the process of making the thin films. Therefore applicant respectfully traverses the restriction requirement.

The Examiner further requests a species election. The Examiner states that Claim 27-37 are generic to a plurality of disclosed patentably distinct species comprising methods wherein the primary coating is deposited by spin-on deposition, dip coating, spray coating, flow coating, screen printing, or stencil printing and; wherein a secondary coating is not deposited, deposited by spin-on deposition, dip coating, spray coating, flow coating, screen printing or stencil printing and wherein the coating is cured by heating in an inert atmosphere or heating in an oxidizing atmosphere.

Applicant does not believe that these methods are elements of the composition claims 27-37 (maybe the Examiner meant claims 1-26?). Since applicant has elected the

composition claims 27-37 for further prosecution, Applicant believes that no further species election is necessary.

The applicant respectfully requests that the examiner withdraw the restriction requirement and allow all claims to be prosecuted.

Respectfully Submitted,
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